

FILED: 8/24/2021 10:44 AM  
David Trantham  
Denton County District Clerk  
By: Velia Duong, Deputy

**CAUSE NO. 21-6407-431**

**MR. MICHAEL MOATES,  
DC CHRONICAL LIMITED**

**Plaintiffs,**

**VS.**

**FACEBOOK INC,**

**AT&T INC.**

**Defendants.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**IN THE DISTRICT COURT**

**431<sup>st</sup> JUDICIAL DISTRICT**

**DENTON COUNTY, TEXAS**

**AT&T INC'S  
VERIFIED DENIAL AND ORIGINAL ANSWER**

Defendant **AT&T INC.** ("AT&T"), an improper party to this lawsuit, files this Verified Denial and Original Answer, respectfully showing the Court as follows:

**I.**

**VERIFIED DENIAL AND PLEA IN ABATEMENT**

Pursuant to Rule 93 of the Texas Rules of Civil Procedure, AT&T asserts that there is a defect of parties and Plaintiffs sued the wrong defendant. AT&T is not a proper party. It was not involved in the action complained of in the Plaintiffs' petition and engaged in none of the alleged acts, omissions, or conduct of which Plaintiffs complain. Accordingly, pursuant Texas Rule of Civil Procedure 85, Defendant AT&T also files this Plea in Abatement and asks that this cause be abated.



**AT&T INC.'S VERIFIED DENIAL AND ORIGINAL ANSWER**

Page 1

**Exhibit**

**11**

exhibitster.com

**II.**

**GENERAL DENIAL**

Subject to and without waiving the above, and in accordance with Texas Rule of Civil Procedure 92, Defendant generally denies all allegations in Plaintiffs' operative petition and any supplements and amendments thereto. Defendant demands strict proof thereof by a preponderance of the evidence pursuant to Texas Rule of Civil Procedure 92.

**III.**

**RESERVATION OF RIGHTS**

Subject to and without waiving the above, Defendant reserves the right to amend and supplement this answer, including without limitation to assert additional and specific denials and defenses as discovery and investigation proceeds.

**VI.**

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant **AT&T INC.** prays that:

1. The Court sustain its Verified Denial and/or grant its Plea in Abatement;
2. Plaintiffs take nothing by their claims;
3. All costs of court be taxed against Plaintiffs; and
4. Defendant be awarded such other and further relief to which it is justly entitled.



Respectfully submitted,

/s/ Amber W. Booker  
Amber Webb Booker  
Texas State Bar No. 24075249

AT&T SERVICES, INC.  
One AT&T Plaza, Suite 3110  
208 South Akard Street  
Dallas, Texas 75202-4208  
Telephone: (214) 757-3528  
Telecopier: (214) 746-2211  
[amber.booker@att.com](mailto:amber.booker@att.com)

**ATTORNEY FOR DEFENDANT  
AT&T INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served upon all counsel of record pursuant to the Texas Rules of Civil Procedure on this 24<sup>th</sup> day of August, 2021:

Mr. Michael Moates  
2700 Colorado Boulevard #1526  
Denton, TX 76210  
Tel: 817-999-7534

*Via e-Service:*  
[Michaelsmoates@gmail.com](mailto:Michaelsmoates@gmail.com)

*Pro Per*

/s/ Amber W. Booker  
Amber Webb Booker



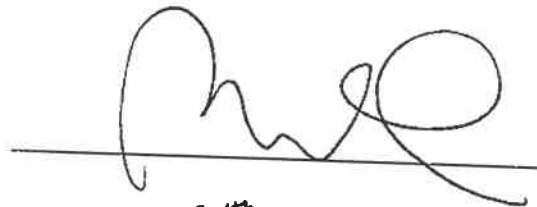
**VERIFICATION OF PAULA M. PHILLIPS**

STATE OF NEW JERSEY       §  
  §  
COUNTY OF SOMERSET       §

BEFORE ME, the undersigned authority, personally appeared Paula M. Phillips, who, being by me duly sworn, deposed as follows:

1. My name is Paula M. Phillips. I am over eighteen years of age, have never been convicted of a felony or crime involving moral turpitude, suffer from no legal disability, and am in all other ways fully capable of making this affidavit. The facts stated herein are within my personal knowledge and are true and correct.
2. I am a Legal Administrator for AT&T Services, Inc. and am authorized to make this affidavit on behalf of AT&T Inc. I have served in this position since 1991 and have been with the AT&T family of companies since February 1984. In my role as a Legal Administrator, I am familiar with the corporate structure of AT&T INC.
3. I have reviewed the Verified Special Denial and Plea in Abatement of the foregoing document, and all of the factual statements and assertions contained therein are within my personal knowledge and are true and correct.

FURTHER AFFIANT SAYETH NOT.

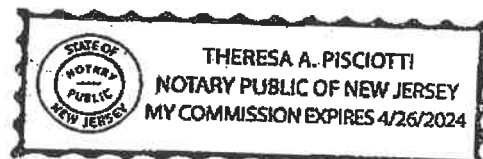


SUBSCRIBED AND SWORN TO BEFORE ME, on this <sup>24<sup>th</sup></sup> ~~XXX~~ day of August, 2021 to certify which witness my hand and official seal.



Notary Public in and for  
The State of New Jersey

My commission expires  
on \_\_\_\_\_



**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Maritza Salinas on behalf of Amber Booker  
 Bar No. 24075249  
 ms795s@att.com  
 Envelope ID: 56586815  
 Status as of 8/24/2021 11:42 AM CST

Associated Case Party: MichaelSMoates

Name	BarNumber	Email	TimestampSubmitted	Status
Michael Moates		michaelsmoates@gmail.com	8/24/2021 10:44:40 AM	SENT

Associated Case Party: Facebook, Inc.


Name	BarNumber	Email	TimestampSubmitted	Status
W. Hamilton Jordan		wjordan@keker.com	8/24/2021 10:44:40 AM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael Moates		michaelsmoates@gmail.com	8/24/2021 10:44:40 AM	SENT
Michael Moates		michaelsmoates@gmail.com	8/24/2021 10:44:40 AM	SENT

Associated Case Party: AT&T INC

Name	BarNumber	Email	TimestampSubmitted	Status
Amber Booker		amber.booker@att.com	8/24/2021 10:44:40 AM	SENT
Maritza Salinas		ms795s@att.com	8/24/2021 10:44:40 AM	SENT
Michele MacIver		michele.maciver@att.com	8/24/2021 10:44:40 AM	SENT


 CERTIFIED A TRUE AND CORRECT COPY  
 OF THE RECORD ON FILE IN MY OFFICE  
 DAVID TRANTHAM  
 DENTON COUNTY DISTRICT CLERK  
 By:   
 Date: 9/8/21 Deputy Clerk